



E-ZPass Group – 119 Lower Beech Street, 2nd Floor, Wilmington DE. 19805
Phone: 302-577-1333 FAX: 302-577-1329

May 15, 2013

Mr. Gary Parsons
Chief Executive Officer
NextNav, LLC
Progeny LMS, LLC
7926 Jones Branch Dr., Suite 500
McLean, VA 22102

VIA: OVERNIGHT MAIL

Dear Mr. Parsons:

Thank you for your letter dated May 9, 2013 in response to my letter dated May 1, 2013 in which I requested that NextNav and/or Progeny agree to conduct joint field testing to ensure that Progeny will not cause unreasonable interference with the electronic toll collection system deployed by the E-ZPass Group and/or other toll operators. Certain aspects of your letter lead me to believe that you have a misunderstanding of how our E-ZPass technology operates. I wish to clarify that for you and again ask that Progeny conduct the joint testing we have requested.

In your response to me, your letter indicated that you recognize the equipment utilized by the E-ZPass Group does not limit its operations to exactly 915 MHz, but rather a range between 914 MHz and 916.75 MHz. You further indicate that Progeny's operations will be far enough removed from that range to prevent interference with the E-ZPass equipment. Both of these assertions are incorrect, and suggest to me that Progeny has not reviewed publically available information in the FCC database on the licensed operation of our equipment.

While it is true that E-ZPass operations center on 915 MHz, our equipment utilizes a wider range of about 10 MHz, consistent with our FCC certification. This puts our operations into the range you indicate Progeny will operate within, as detailed in the table below. This table identifies two such devices which have been granted approval for many years and are currently deployed in volume in our current system. In particular I direct your attention to the fact that, in accordance with 47 CFR 2.202(b), the emission designator for an equipment identifies the necessary bandwidth, which is for a given class of emission, the minimum value of the occupied bandwidth sufficient to ensure the transmission of information at the rate and with the quality required for the system employed, under specified conditions.

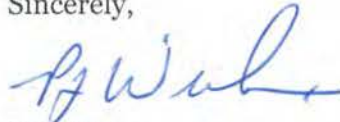
FCC ID	Authorized Necessary Bandwidth (MHz)	Authorized Center Frequency (MHz)	Frequency Range Required (MHz)
JQU801660	9.3 MHz	914.4 - 915.6	909.75 - 920.25
JQU801800	9.96 MHz	914.3 - 915.5	909.32 - 920.48

This table and accompanying information should make it evident that there is an overlap in the proposed Progeny system transmissions at 919.75 MHz and the already licensed and deployed E-ZPass systems. We believe your statement that there is no possibility of harmful interference to our wireless toll collection systems is unfounded based on publically available materials.

For this reason, as well as those previously communicated with you, the 25 member agencies that comprise the E-ZPass Group again respectfully request that joint field testing be conducted to ensure Progeny's operations will not interfere with our licensed use of the band. Determining if there will be interference between these systems is best accomplished **before** Progeny conducts operations, rather than after the fact when mitigation may be more difficult for all parties.

Please feel free to contact me directly to discuss further. I can be reached at 302-577-1333.

Sincerely,



PJ Wilkins
Executive Director
Telephone: (302) 577-1333
Email: PJWilkins@E-ZPassiag.com

VIA: ELECTRONIC MAIL

cc: Chairman Julius Genachowski
Commissioner Robert McDowell
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Ruth Milkman, Chief, Wireless Telecommunications Bureau
Julius Knapp, Chief, Office of Engineering & Technology
Zachary Katz, Chief of Staff
Renee Gregory, Legal Advisor
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David Goldman, Senior Legal Advisor
Courtney Reinhard, Legal Advisor, Wireless
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Hugh Van Tuyl, Senior Staff Engineer
John Leibovitz, Deputy Chief, Mobility Division
Roger Noel, Division Chief, Mobility Division
Paul Murray, Assistant Bureau Chief, Wireless Telecommunications
Paul D'Ari, Deputy Division Chief
David Furth, Deputy Bureau Chief, Public Safety & Homeland Security Bureau
E-ZPass Group EMC